

HOUSE No. 1321

By Mr. DeLeo of Winthrop, petition of Robert A. DeLeo and others for legislation to establish a lead service replacement program. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

PETITION OF:

Robert A. DeLeo	Kathi-Anne Reinstein
Ronald Mariano	Michael E. Festa
Louis L. Kafka	Carl M. Sciortino, Jr.
Deborah D. Blumer	Christopher G. Fallon
Kay Khan	Joseph R. Driscoll, Jr.
Steven A. Tolman	William C. Galvin
Michael W. Morrissey	Thomas M. Stanley
Robert K. Coughlin	Walter F. Timilty

In the Year Two Thousand and Five.

AN ACT TO ESTABLISH A LEAD SERVICE REPLACEMENT PROGRAM.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding any general or special law to the
2 contrary, the Department of Environmental Protection is hereby
3 directed to establish a Lead Service Replacement Program to
4 assist homeowners, homeowner associations or condominium
5 associations with the replacement of lead service lines.

1 SECTION 2. The Department shall make loans available to
2 qualifying municipalities at an interest rate of 0%. Municipalities
3 may use these funds to replace the public portion (water main to
4 the gate valve) of lead service lines as well as to provide low-
5 interest Betterment Loans on the basis of a sliding scale that

6 relates a homeowner's income and assets to the cost of replacing
7 lead services.

1 SECTION 3. Chapter 62, Section 6, is hereby amended by
2 adding the following subsection, "(1) Any owner of residential
3 property located in the commonwealth who is not a dependent of
4 another taxpayer and who occupies said property as his principal
5 residence, shall be allowed a credit equal to 40 per cent of the
6 expenditures for the replacement of lead. Said expenditures shall
7 be the actual cost to the taxpayer or \$5,000, whichever is less;
8 provided, however, that said credit shall be available to eligible
9 taxpayers beginning in the tax year in which the repair or replace-
10 ment of said lead service line was completed; and provided, fur-
11 ther, that said credit shall not exceed \$1,500 in any tax year and
12 any excess credit may be applied over the following five subse-
13 quent tax years up to an aggregate maximum of \$6,000. The
14 amount of any such credit shall be reduced by an amount equal to
15 the total interest subsidy or grant received from the common-
16 wealth, whether directly or indirectly, toward the cost of said
17 expenditures. The department shall promulgate such rules and reg-
18 ulations as are necessary to administer the credit afforded by this
19 subsection, including, but not limited to, a notification system by
20 the commonwealth to recipients of said interest subsidy or grant
21 of the amount of the total subsidy provided by the common-
22 wealth."

1 SECTION 4. The Department of Revenue shall consult with the
2 Department of Environmental Protection in developing rules, reg-
3 ulations and guidelines for said Program and related tax credit.